Connecticut State Dental Association

835 West Queen Street
Southington, CT 06489

860.378.1800/phone
860.378.1807/fax

CSDA.com

Legislative Testimony

Government Administration and Elections Committee
Proposed HB 5816 AAC Audits by State Agencies

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Dr. Jeffrey Berkley, President, Connecticut State Dental Association

As President of the Connecticut State Dental Association (CSDA), I appreciate having the opportunity to provide written testimony on behalf of the nearly 2,400 CSDA member dentists, in support of **HB 5816, An Act Concerning Audits By State Agencies.**

By way of introduction, I am an Oral and Maxillofacial Surgeon who participates with the Medicaid Program. My single specialty group practice consists of eight surgeons that practice in five offices throughout Connecticut. I am an attending in the Department of Dentistry at Yale, teaching in their residency program, and I am head of the Dental Department at Midstate Medical Center.

To start, I would like to thank the Committee for your interest in this issue, which has brought numerous Medicaid provider associations together in an attempt to improve the current audit process. To be clear, the CSDA has absolutely no tolerance for fraud, and we believe that those practitioners who have been found to be willfully defrauding the State should be prosecuted to the fullest extent of the law. While an audit process is absolutely needed, it must be a fair process, and HB 5816 strives to add fairness to a process that has caused considerable frustration within the Medicaid provider community.

As President of the CSDA, I have heard from numerous members who have experienced a Medicaid audit through the Department of Social Services. To a person, each member expressed their astonishment and disbelief with the unfair practice of extrapolating overpayments based on isolated clerical errors. Simply put, isolated clerical errors are not fraud, especially when evidence supports that the services subject to the claim were performed as agreed to, and there was no financial impact resulting from the error.

We support HB 5816 because it brings fairness to the audit process by limiting extrapolation to only those incidents where there is evidence of fraud, or in cases of a high level of payment error. The CSDA and many of the State's other provider associations have worked together to develop recommendations for ways in which transparency and fairness can be integrated into the audit process. That collaborative document is attached to this testimony for the information of the Committee.

The CSDA and its member dentists are proud to know that our state has risen from one of the worst performing dental Medicaid programs in the country, to become a national model for providing access to care for the citizens of Connecticut. With the amount of negative feedback being created by the audit process and extrapolation I fear that we will potentially be faced with the loss of many of our very best providers. The CSDA spent great effort to recruit these providers into the Medicaid program. These highly proficient and honest dentists who have now welcomed Husky patients into their practices are being dissuaded from continuing to do so by the loss of fairness and transparency that they were promised from the beginning, and which they deserve.

We appreciate the intent of HB 6815, and hope that these comments and suggestions, along with those of our Medicaid provider colleagues will help to establish a fair and transparent understanding and expectations of the audit process. The CSDA looks forward to being a part of this process.

Respectfully Submitted,

Jeffrey Berkley, DDS
323 Main Street
West Haven, CT
(203)937-7181
Jawdoctor@yahoo.com